

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION

CARROLL D. ROBERSON

PLAINTIFF

v.

CIVIL ACTION NO. 3:14-CV-00168-NBB-JMV

MCDONALD TRANSIT ASSOCIATES,
INC., CITY OF OXFORD, MAYOR PAT
PATTERSON, OFFICER RON BIGGS
AND CALVIN HILL

DEFENDANTS

ORDER ADOPTING REPORT AND RECOMMENDATION

On consideration of the file and record of this action, the court finds that the Report and Recommendation of the United States Magistrate Judge dated November 3, 2015, was; recorded on the court's electronic filing system, accessible to all parties, and that more than fourteen days have passed since the recording of said Report and Recommendation. The defendants object to the magistrate's Report and Recommendation. Notwithstanding, the court is of the opinion that the magistrate judge's Report and Recommendation should be approved and adopted as the opinion of this court. It is, therefore,

ORDERED:

1. that the Report and Recommendation of the United States Magistrate Judge dated November 3, 2015, is hereby approved and adopted as the opinion of this court;
2. that defendants' objection is OVERRULED;
3. that plaintiff's 42 U.S.C. § 1983 claims against Pat Patterson and Ron Biggs in their individual capacities as mayor and police officer are hereby DISMISSED with prejudice;
4. that plaintiff has fourteen days from this date to file a motion to amend, along with an amended complaint; and

5. that the trial date in this matter will be determined after consideration of plaintiff's motion to amend and amended complaint or after the expiration of the time the plaintiff has been given to amend his complaint.

THIS, the 20th day of November, 2015.

/s/ Neal Biggers

NEAL B. BIGGERS
SENIOR U.S. DISTRICT JUDGE